



## KING COUNTY AUDITOR'S OFFICE

### Civil Division King County Prosecuting Attorney's Office — 2006-04

The Civil Division of the King County Prosecuting Attorney's Office provides legal representation for the executive and legislative branches of county government. This audit was conducted in order to assess the efficiency and effectiveness of services provided by the division. The scope of the audit was limited in that we did not attempt to assess the efficiency or effectiveness of the legal representation provided with respect to any individual case. Instead, we tried to obtain an overall sense of the division's efficiency and effectiveness by surveying its customers and by reviewing its performance measurement system. We also compared the Civil Division's costs to the civil attorney function in other jurisdictions, reviewed the equity of the methodology used to bill customers for service, and assessed the division's process for procuring and monitoring the work of outside counsel.

The audit survey found that the Civil Division does not maintain useful performance information and therefore cannot link workload growth to budget growth, or measure efficiency and effectiveness. However, the audit found that most customers are quite satisfied with services received, and the customer billing methodology is equitable.

#### **Costs of Civil Division Services**

The cost of Civil Division services were comparable to other jurisdictions as a percent of overall government-wide expenditures. However, these costs do not include expenditures for outside counsel, which is an area in which King County's expenditures seemed relatively higher in comparison to other jurisdictions. The Civil Division does not have adequate measures of its workload that would allow for a comparison between workload growth and cost growth.

#### **Equity of Billing Model**

The methodology used to bill customers for services is equitable, but it depends on the accuracy of the time-keeping data submitted by individual attorneys. Although we found problems with the accuracy of this data, the Civil Division has taken steps to improve data accuracy.

#### **Procedures for Selecting and Monitoring Outside Counsel**

While it is not subject to the county's procurement process, the Civil Division has internal policies and procedures for selecting and monitoring the use of outside counsel. These policies are not always followed, and exceptions to the policy are not adequately documented.

#### **Customer Satisfaction**

The majority of the Civil Division's customers are quite satisfied with the legal services provided by the division, but some have concerns about attorney expertise in specific areas of the law, that attorneys are too risk averse, or that they receive inconsistent advice.

#### **Performance Measurement System**

The Civil Division's performance measurement system provides little useful information with which to assess the division's efficiency or effectiveness.

#### **Recommendations**

The report includes nine recommendations that are intended to:

- Monitor expenditures for outside counsel and assess whether the county is employing an optimal mix of internal vs. outside counsel.
- Improve efforts to measure workload and performance.
- Improve the quality and usefulness of attorney time-keeping data.
- Promote more routine and useful efforts to measure customer satisfaction.

#### **PAO Response**

The Prosecuting Attorney's response to the report concurred with all nine of the report's recommendations. We note that the Civil Division has already begun implementing several of the recommendations.